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021304

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10/777759  
021304

Date: February 13, 2004

Docket No.: 3313-1113P

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Yi-Tsuo WU; Jyh-Shyang WANG; Kun-Fong LIN;  
Nikolai A. MALEEV; and D. A. LIVSHITS

For: VCSEL AND THE FABRICATION METHOD OF THE SAME

Enclosed are:

- A specification consisting of eleven (11) pages
- Six (6) sheet(s) formal drawings
- Applicant claims small entity status under 37 C.F.R. § 1.27
- Applicant does not claim priority
- Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 092127846 filed in Taiwan on October 7, 2003.
  - Certified copy(ies) is(are) attached hereto.
  - Certified copy(ies) will follow.
- Executed Declaration ( Original  Photocopy)

- An assignment of the invention
- Application Data Sheet in accordance with 37 C.F.R. § 1.76
- Preliminary Amendment
- Information Disclosure Statement, PTO-1449 and reference(s)
- Other:
- Applicant requests early publication - \$300.00 publication fee
- Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)

The filing fee has been calculated as shown below:

		LARGE ENTITY		SMALL ENTITY		
BASIC FEE		\$770.00		\$385.00		
	NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE
<b>TOTAL CLAIMS</b>	17- 20 =	0	X 18 =	\$0.00	x 9 =	\$0.00
<b>INDEPENDENT CLAIMS</b>	3- 3 =	0	x 86 =	\$0.00	x 43 =	\$0.00
MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00		+ \$145.00	
		<b>TOTAL</b>	\$770.00		\$0.00	

- A check in the amount of \$810.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP **or** Customer No. 02292  
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy \_\_\_\_\_  
Joe McKinney Muncy, #32, 334

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KM/clb  
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Attachment(s)

(Rev. 02/13/2004)